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STANDING COMMITTEE ON SOCIAL DEVELOPMENT
ORGANIZATION

TUESDAY, OCTOBER 14, 1986



STANDING COMMITTEE ON SOCIAL DEVELOPMENT

CHAIRMAN: Johnston, R. F. (Scarborough West NDP)

VICE-CHAIRMAN: Reville, D. (Riverdale NDP)

Allen, R. (Hamilton West NDP)

Andrewes, P. W. (Lincoln PC)

Baetz, R. C. (Ottawa West PC)

Davis, W. C. (Scarborough Centre PC)

Jackson, C. (Burlington South PC)

Miller, G. I. (Haldimand-Norfolk L)

Offer, S. (Mississauga North L)

Reycraft, D. R. (Middlesex L)

Ward, C. C. (Wentworth North L)

Also taking part:

Cousens, W. D. (York Centre PC)

McGuigan, J. F. (Kent-Elgin L)

Warner, D. W. (Scarborough-Ellesmere NDP)

Clerk: Carrozza, F.

Staff:

Gardner, Dr. R. J. L., Assistant Chief, Legislative Research Service

LEGISLATIVE ASSEMBLY OF ONTARIO
STANDING COMMITTEE ON SOCIAL DEVELOPMENT

Tuesday, October 14, 1986

The committee met at 4:25 p.m. in room 151.

ORGANIZATION

Mr. Chairman: This is the first meeting of this committee that is being practised bilingually. However, it is not being televised; so you do not have to worry about your French today. You can just let loose, and any mistakes you make will not find themselves on the airwaves.

The use of this committee room will be rotated among committees now, depending on whether they seem to be of high priority to the French community, so the proceedings can be televised, if necessary, and sent out.

There are a number of matters of business that I want us to deal with. First, with the change on the committee--Mr. Reville has moved to another committee and is not available--we need a new vice-chairman.

I also want to talk about the three pieces of private member's legislation that have been referred to us and that we decided not to deal with last summer. We thought we deserved a summer off, as you may recall. Each of those members has some concern about whether we are going to make decisions about their private members' legislation.

I have also had a request to reopen family violence as a topic for our discussion, which I want to raise with you.

Then there is a matter of listing the estimates for the committee. As you are probably aware, the schedule is out already.

If we could start with a motion for a vice-chairman, I would appreciate it.

Mr. Ward: I would like to move that members of the committee ask Mr. Allen to be vice-chairman. I have a prepared 15-minute speech. Would you like me to read it?

Mr. Chairman: Dispense? Yes. Are there any other nominations?

Mr. Andrewes: Is that the same one he used in his last campaign?

Mr. Chairman: He has not lost yet. I think this is important.

Mr. Ward: It is the one I used when I was chairman of the energy commission.

Mr. Chairman: We have no other nominations. Do you allow the nomination to stand, Mr. Allen?

Mr. Allen: Yes.

Mr. Chairman: You are our new vice-chairman. Thank you.

With regard to the order of the estimates, the estimates of the Ministry of Colleges and Universities start on Thursday for eight hours. We presume they will be over by the end of next week, and we will then move on to the Ministry of Skills Development, probably starting on the following Monday. The list is available to you.

Three private members' matters were raised with us. Just to refresh your memory, the first one that came to us was Mr. McGuigan's motion--thanks for coming, Jim--on abducted and missing children and requesting our action, which we received in January, I think. The second was Mr. Warner's motion, Bill 3, which was referred out in the spring session. Third, Mr. Cooke has Bill 92 on nursing homes, which was also referred out to us.

We have not decided what we want to do; so I thought it might be time for us to discuss it. As a committee, you can make any decision you want in terms of when you would like to do those.

We are pretty well booked through the fall session with estimates, and we will have some things referred to us. Mr. Cousens and I just learned that the Ministry of Community and Social Services is interested in perhaps referring the child adoption question back to this committee if that meets with general caucus approval beforehand. I think there will also be some other acts coming our way this fall.

This is really to determine whether you want to make any decisions today on what our priorities should be in the break, from January on, and if so, which of the private member's bills you would like us to deal with at that stage or whether you wish to do that.

I have asked the members to come and basically make their pitch to you today; Mr. McGuigan because he has been waiting a while to know what we are doing, Mr. Warner because he has been quite successful in lobbying--I do not know how many communities I have here, but I have a whole file of communities that are in support of his bill--and Mr. Cooke because he has left me a note.

We will start with Mr. McGuigan, who will basically refresh your memory about what the resolution was and what he hopes to come out of it, in terms of the committee's time and that type of thing.

16:30

Mr. McGuigan: I did not bring a copy of the resolution with me, but I brought a copy of the booklet.

In late 1984, largely from being a member of the standing committee on social development when we were writing Bill 77, which was an act respecting the protection and wellbeing of children and their families that incorporated 10 existing acts affecting children into one act, I became aware of the problems of children and was alerted to watching the television reports, news reports and so on. I also became aware that a great many efforts were carried on by private groups concerning missing children.

We also were shown films by various members of government bodies during the course of the social development committee hearings. I attended a seminar at the Ontario Institute for Studies in Education that was put on by the Canadian Coalition Against Violent Entertainment. They had a chap there from the Federal Bureau of Investigation who showed some absolutely revolting tapes. It brought out the fact that there are people who are wandering time

bombs who go around the country killing people, as in the well-known case of Clifford Olson out in British Columbia. The FBI man said that at any one time there are about 100 of these serial murderers in action. We become aware of them only when we get up to a large number of cases in a particular area, but they are aware of these people moving around the country, and some of them specialize in children.

About a year ago I went to a seminar put on by the Attorney General at which they were talking about missing children. The father of one of the children who was victimized by Olson was there. In so many of the cases we hear about, the children are runaways or are abducted by their own parents in cases of marital discord, and we tend to downplay the business of children being taken by third parties and never being seen again. He said that when his child was first lost, he alerted the Royal Canadian Mounted Police to the fact that he felt it was one of these types of things. Of course, they laughed at him and said, "The child had been lost; he has fallen in a little body of water." It was only after there were four or five of them who were killed in that area that they really moved in and realized there were serial killers.

What this pointed out to me and, I think, to the people at the meeting was that there is a fair amount of disagreement among people in the field about the seriousness of these really violent cases, that there is more there than meets the eye. That is one thing that has come out since that time.

One of the recommendations in our report was that there be a central recording system. This has since been brought in by Mr. Beatty, the federal Attorney General; so that has been taken care of. Nevertheless, it would serve a very useful purpose if you had public hearings and brought in the various people who are out there working in the field. I had only three public hearings in the short space of time that help was available to me, because at that time we were in opposition and it was really a one-man inquiry, although I had a very competent legislative intern to help me.

There is a great deal of information available out there on the needs, on the things that are available and on the things that are not available and on the lack of co-ordination. I think the need still exists.

There is also a great deal of work going out from public groups in identifying children, taking their fingerprints and photographs and all those sorts of things. While it has never come to my attention that any of these people have gotten into trouble or caused any harm to the cause of missing children, with all the volunteer groups working, you sort of wonder whether there might be a need for some guidelines or some co-ordination among them to prevent anything happening that would go against this very worthwhile work.

There is still the problem of working in the schools. Some of the schools seem to work very well by having call-back programs; that is, if a child does not come in at a certain time, they have volunteers who call the home, the guardian or wherever the child is regularly domiciled and check on that child. Some of those have been working very well, whereas some schools are not as co-operative; some of them will say, "You can come in after hours, but you cannot do anything during hours."

There is still a legal tangle from one province to another, and although Ontario has been a leader in this field since 1982, when it passed an act saying the Ontario courts were to recognize courts outside the province, how well that is working is something we do not know. I think that would be a matter of inquiry.

It might be a matter of inquiry to see what efforts Ontario could make with other provinces to try to encourage or persuade them to pass similar legislation. When a child is abducted, it is usual for the person to take him or her to another jurisdiction, and very often they find themselves beyond the reach of the original jurisdiction, or a great deal of time goes by before matters can be brought before the courts and so on.

To expand on that a bit, if they happened to take them to another country and it is one that is masculine-dominated, it will not recognize our orders at all, because usually an order that comes from Canada or from Ontario is a mother's order, and often the father has taken the child to a country that recognizes the father as the head of the household. I bring this up only to point out some of the difficulties within the law in hunting down these children. I know we cannot reach over to some foreign country and have its laws changed. I mention it as one of the jurisdictional problems that there are.

I still feel it is well worth while to go ahead and have public hearings. I would not suggest that they be of great length, that you take months at this. I do not think you have to discover what is needed. They could be relatively short hearings, but I believe public hearings should be made available so people can come in and give their side.

Mr. Chairman: Can you make any estimate of what you think would be appropriate?

Mr. McGuigan: I think six weeks might cover it.

Mr. Chairman: You may recall that Bob Gardner, from legislative library research, did a background document following up that initial referral. Members who were on the committee then should have received it. Maybe you can give us an update, and then we can proceed.

Dr. Gardner: The background work I did was a survey of programs on missing children, in the United States particularly, where there are more programs and they are more co-ordinated through the federal level, to give some sense of what is going on in the other provinces and some early sense of the federal initiatives that Mr. McGuigan mentioned as taking place at that time. My report was made in December 1985.

At about the same time, and I think early into 1986, the committee was also getting material from federal and provincial ministries that are of relevance in these areas--justice, health and welfare, social services and so on. That came in dribs and drabs from November or December through to January and February of 1986. That is the kind of background material the committee has before it now.

16:40

Mr. Chairman: It is available for members who were not on the committee if you want it. The clerk will make copies for you. Can we use this?

Dr. Gardner: Sure.

Mr. Chairman: Okay. Are there any questions for Mr. McGuigan before we hear from Mr. Warner? I have a little synopsis from Mr. Cooke. None?

We have just been informed that there is a New Democratic Party caucus meeting to discuss the present procedural difficulties in the House, but if it is all right, I want to take a little time out to hear Mr. Warner.

Mr. Warner: I will try to be brief. As a refresher, Bill 3 is what I have called the seniors' independence act. I have spent a year working on it. I knew prior to the last election that if I were fortunate enough to win, this was a project I really wanted to work on, and the week after the election, I started on it.

I had an advantage in that the caucus had already had a task force on care of the elderly. I took the material from that, went to the library and started on it. Along with the library work, I did an in-depth study. We took a look at 26 jurisdictions, most of them in western Europe, and from that we pulled out all the material that I liked and that seemed to fit into the general scheme of things. Then I trotted off to the legislative counsel. They did up the bill. The bill was presented, debated and received unanimous approval. I see this as the next logical stage.

In the meantime, I did go out to solicit support. I went to municipalities, and municipalities have responded very nicely. A lot of them have written here and have written to me as well. The municipalities have made the kind of response I am looking for, that this should be viewed as an initiative of the Legislature of Ontario, not particularly my initiative or that of my party. It should be an initiative of the Legislature because we recognize for the first time that we have to provide services to seniors in a way different from what we have been doing.

I have had only one way of dealing with politics in my life, and that is straight up; so I want to speak to what may be the concerns of both the Conservatives and the Liberals.

As far as the Conservatives are concerned, I am not attaching blame in any way for the fact that what I am proposing was not done under the previous administration. There has been a natural evolution in ideas. This country was founded by young people. Almost all our immigration has been by young people. Only in the last while have we started to see an increase in the percentage of our population that is over 65. It is a fairly recent phenomenon, and I do not think it is worth while for me to start quibbling about whether the previous government could have done certain things and neglected to do them. That is not a useful exercise. It sure as heck does not help the folks out there, who I think would be very happy with this bill if it were passed.

As a little footnote, the most common complaint I got from seniors when I travelled around was about the number of phone calls they have to make to get service. Seniors told me, "I have to call someone between 12 and 20 times to find out who is going to provide the lawn-cutting service" or whatever it happens to be. Obviously, a major portion of my bill is the co-ordination of services. One phone call in the province is all you make as a senior. People who are hired to do the job do it. They deliver the services; they find out what the needs are and they meet them.

To the Liberals, I realize there is a white paper out. The white paper is almost identical to Bill 3 with two major exceptions, both of which can be addressed. First, a dental plan is not included--and dental care is a major item raised by senior citizens--and second, there is no "one phone call" idea. Those are things that can be addressed in the course of debating a bill.

I am prepared to make an offer you cannot or should not refuse. I want the bill delivered. If the committee is prepared to deal with the bill and if it is of any help to the government, once you have gone through the committee stage, I would be prepared to withdraw the bill and to have it reintroduced

with "government bill" stamped on it. If that is of any help to you in your deliberations, there is my offer. When it goes through the House and it is completed, it is your bill. If there is credit to be given, it is your credit.

To be perfectly blunt about it, what is done with my bill does not have a whole lot to do with my ultimate success as a politician in my riding of Scarborough-Ellesmere, where I knock on doors and talk to people. What I am concerned about is getting that bill through.

I believe we have a lot to do to provide proper services to seniors and we are not doing it. All of you are probably aware that we have one of the worst records in the world for institutionalizing seniors. It is double the rate of most western European countries and it is worse in Ontario than in a lot of other Canadian provinces. We have a long way to go and this bill addresses that.

The government has a paper and that is good, but I have gone through that stage. I have gone to the bill stage, the point at which you invite people to come in and make presentations and then the amending of the bill is up to the committee. That is your job; I have done my job at that point.

Quite frankly, I have made a pitch to the two parties. The pitch to the New Democrats and to everybody is that I think this bill should be dealt with immediately. I do not want to hurt anybody's feelings but I think Bill 3 is more important than doing estimates of the Ministry of Colleges and Universities, and I am my party's critic for Colleges and Universities.

You and I both know that what we debate about in estimates is money that has already been spent. You are not debating the budget process and you are not debating the money in advance of the budget being presented; you are debating money that has already been allocated. It is important--I will not say it is unimportant--but in my scheme of things in this life, delivering services to seniors is a lot more important than debating the various programs available in the colleges. My pitch to the committee would be to start with this bill next week.

You may not want to do that. I think you should deal with this bill immediately. If you have to put it off until January, so be it, but the sooner it is dealt with the better.

I have one last thing. I do not mean this as any sort of pressure at all, but I gained a greater sense of urgency about providing the services when a sociology student who had completed her masters degree told me there is a very alarming suicide rate among our elderly population in Ontario and in Canada. I was not aware of that.

To a large extent, it is because there is not the kind of help they are looking for to make them feel important and to give them the sense of dignity to be able to remain in their own homes and to be as independent as is physically and humanly possible. There is a lot of depression and despair.

As a society, we can do a heck of a lot about that, but we have to take some initiative and some leadership. I know this committee, which is renowned for the work it has done on other bills, even ones that touch controversial issues, can handle that. It is my pitch and my plea that we start on it next week.

Mr. Chairman: How much time do you foresee? Do you presume there will be a public hearing stage?

Mr. Warner: I think the public hearing stage could probably be accommodated in three to four weeks. It depends on how willing the committee is to move around. A lot of the folks we will hear from are senior citizens and the senior citizen groups might really appreciate our coming to Sault Ste. Marie or Ottawa rather than their having to find their way here.

Mr. Chairman: Especially in January.

Mr. Warner: Yes. I would think three or four weeks would wrap it up. In for the clause by clause, we could have it done in two weeks. We are looking at a ball-park figure of five or six weeks within which we will have finished the bill and started to deliver the services.

Mr. Chairman: I am in the process of circulating a copy of the bill and the correspondence I have received, so you will have an idea of the municipalities that have responded to David's memorandum. Are there any questions of David before I move on to the other two points?

Mr. G. I. Miller: Do you think you can give an assessment of what we can expect?

Mr. Warner: Richard will tell you that I tend to be a very optimistic individual. I would say that if we put our minds to it, three to four weeks of public hearings and two weeks of clause-by-clause consideration would suffice.

Mr. G. I. Miller: Would not the minister have to bring it in, though? We would have to have the ministry review it and then we would have to touch base to see whether it is prepared to bring it in.

Mr. Warner: If it is at all possible, I would appreciate having the minister present during the public hearings and the clause-by-clause review. That would be really helpful. As I mentioned, if in the long run he ends up taking me up on my offer and reintroducing a government bill, he should be part of the process right from the beginning.

Mr. Chairman: I have to rush things along, because the vote will be in a few minutes. Given that there is going to be a vote--and who knows how long this is going to take?--I think the best way to proceed would be to inform you of the other two matters, get you to talk to your steering committee members and come back to a steering committee meeting with your response from the various caucuses. I wanted to have the members give you a chance to hear their pitches.

Mr. Cooke could not be here. He has brought in some amendments to the Nursing Homes Act, which you may recall with respect to Bill 92. Because this is a very specialized bill, he suggests that besides Concerned Friends and one or two consumer groups, the people in the profession would want to have some say about this, and he thought it would be a matter of only two to three days of public hearings to look into the matter.

I remind you it is Bill 92, if you want to check with your House leaders on the priority your caucuses may want to give it.

The other request is one I received from the family violence people in

the transition homes. It is that we reopen the question of spousal abuse, which was in our 1982 report, and that we do an update on how we might proceed with it.

At this moment, it is impossible for us to do that without its being referred again by 20 members referring an annual report. As you may recall, when we broke for the last election we were dealing with abuse of the elderly, which has also become a serious concern. Perhaps that will be the committee's preference.

I thought I would raise it with you, because it has been the mandate of this committee in the past and we took the initiative on it.

Those are the four items. I would like you to consider whether you see a chance of our dealing with these in the January period. We have been instructed that the estimates are our first priority and then there will be some government legislation, so I cannot see the House leaders immediately taking up Mr. Warner on his suggestion to do this. Those are the four matters I would like you to consider and then refer to a steering committee, if that is all right, to reach a decision.

Mr. Allen: You may recall that late in the Bill 30 debate we passed a resolution in this committee that had a number of items on it, one of which was dealt with; namely, early retirement. French education was dealt with in the context of Bill 75. There was a very important item outstanding in that, apart from the education funding issue in general: the question of religious studies in public schools.

This is a very important question that has to be looked at. There are a number of facets of that issue. A very large constituency out there has had some discussions with the minister in the interval and I would like to put that in the mix, if I could, as one item that we consider looking at or at least begin some consideration of in the course of the next two sessions of the Legislature.

Mr. Chairman: I would ask you to prioritize them, if you can, and then give us a decision from your caucuses about when you think we should deal with them. You may decide on a ranking to start them in January and try to schedule a couple of them or you may feel we should be waiting for a further government initiative to respond to them. There may be other issues that you think are more pressing. I will leave that with you and your caucuses to work out. Mr. Gardner wanted to make a public service announcement before we adjourn.

Dr. Gardner: It is just to tell the members that the legislative research services offices have moved. We have been in the state of moving for six months or so. We are now all together over in the Whitney Block, suite 2520, which is on the second floor. I would like to invite all members here and all other members to coffee mornings next Monday, Tuesday and Wednesday from 9 a.m. until 10. Come and see us in our new place. Coffee, muffins and a chat will no doubt be available.

Mr. Chairman: I gather we are wanted urgently in the House for a vote. We will adjourn until Thursday after orders of the day.

The committee adjourned at 4:56 p.m.

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